Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Thursday, 16th February 1978 / 27th Magha 1899 [No. 96

GOVERNMENT OF KERALA

Public Works (D) Department

DECLARATION

No. 5046/D1/78/PW. *Dated, Trivandrum, 13th February, 1978.*

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution the President has, in his notification No. 2/4/63/Judicial II dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to acquisition of land for the purpose of the Union in this State;

And whereas under sub-section (4) of section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to the land specified in the schedule below;

And whereas the Government are satisfied that the said land has to be acquired for a public purpose;

The Government of Kerala hereby declare under section 6 of the Act that the land specified in the schedule below and measuring 0.0971 Hectare be the same a little more or less, is needed for a public purpose, to wit, for the formation of Block 18C of N. H. 47 and under section 7 of the Act direct the Tahsildar, Alathur to take order for the acquisition of the land. Further, under sub-section (1) of section 19 of the Act the Government direct that the Collector may take possession of the land on the expiry of fifteen days from the date of publication of the notice mentioned in sub-section (1) of section 9 of the Act.

33/566/MC.

A plan of the land is kept in the office of the Tahsildar, Alathur and may be inspected at any time during office hours.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി, യൂണിയന്റെ ആവശ്യത്തിനായി ഈ സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവർത്തികൾ തന്റെ 31-5-1963-ാം തീയതിയിലെ 2/4/63/Judl. II നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെന്റിനെ ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി, ഭരമേൽപ്പിച്ചിരിക്കയാലും;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം കേരള ഗവൺമെന്റ് പ്രസ്തുത സംഗതിയുടെ അടിയന്തിരസ്ഥിതി പരിഗണിച്ച്, ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമിക്ക് ബാധകമല്ലെന്ന് നിർദ്ദേശിക്കയാലും;

പ്രസ്തുത ഭൂമി ഒരു പൊതുക്കാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് ഗവൺമെന്റിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും;

കേരള ഗവൺമെന്റ് താഴെ കാണുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.0971 ഹെക്റ്റർ വിസ്തീർണ്ണമുള്ളതുമായ ഭൂമി, അത് അത്രതന്നെയോ, അതിൽ അൽപ്പം കുറവോ കൂടുതലോ ആയിരുന്നാലും വേണ്ടതില്ല, ഒരു പൊതുക്കാര്യത്തിന്, അതായത് നാഷണൽ ഹൈവേ 47-ാം നമ്പറിന്റെ ബ്ലോക്ക് 18 C-യുടെ രൂപീകരണത്തിന് ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പു പ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിപ്പാൻ ആക്റ്റ് 7-ാം വകുപ്പു പ്രകാരം ആലത്തൂർ തഹശീൽദാർ എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്റ്റർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നുംകൂടി ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ ആലത്തൂർ തഹശീൽദാർ എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

District.—Palghat. *Taluk.*—Alathur.

Village.—Kannambra I. *Amsom.*—Kannambra.

(The extent given is approximate)

Survey No.	*Description*	*Extent in hectare*
168/60	U. D.	0.0971

By order of the Governor,

N. R. AUGUSTINE,

Joint Secretary.

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Government of Kerala
1978

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Labour & Housing (A) Department

NOTIFICATION–I

No. 1688/A1/78/L&H. *Dated, Trivandrum, 15th February 1978.*

Whereas an Industrial Dispute between the Management of Punalur Paper Mills Ltd., Punalur represented by: (1) Mr. Pawan Kumar, Secretary, Punalur Paper Mills Ltd., Punalur, (2) Mr. K. C. Achutha Menon, Personnel Manager, Punalur Paper Mills Ltd., Punalur and the workmen of the said Concern represented by: (1) Sri K. A. George, Secretary, Punalur Paper Mill Workers Union, (2) Sri C. S. N. Raju, Secretary, Punalur Paper Mills Labour Congress, (3) Sri K. O. Thomas, Secretary, Punalur Paper Mills Staff Union, (4) Sri C. P. Ravindran Nair, Secretary, Punalur Paper Mills Security Guards Association, (5) Sri P. T. Simon, Secretary, Punalur Paper Mills Employees' Union, (6) Sri K. Gopalakrishna Pillai, Secretary, Punalur Paper Mills Staff Association in respect of certain matters, has by an arbitration agreement, been referred to Sri K. Sadasivan, Retired Judge, High Court of Kerala for arbitration;

Now, therefore, in pursuance of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Kerala hereby publish the said arbitration agreement.

33/567/MC.

"FORM 'C'"

(*See* Rule 7)

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

Between

Name of Parties:—

Representing employer(s)	(1) Mr. Pawan Kumar, Secretary, Punalur Paper Mills Ltd., Punalur.
	(2) Mr. K. C. Achutha Menon, Personnel Manager, Punalur Paper Mills Ltd., Punalur.
Representing workmen	(1) Sri K. A. George, Secretary, Punalur Paper Mill Workers Union.
	(2) Sri C. S. N. Raju, Secretary, Punalur Paper Mills Labour Congress.
	(3) Sri K. O. Thomas, Secretary, Punalur Paper Mills Staff Union.
	(4) Sri C. P. Ravindran Nair, Secretary, Punalur Paper Mills Security Guards Association.
	(5) Sri P. T. Simon, Secretary, Punalur Paper Mills Employees' Union.
	(6) Sri K. Gopalakrishna Pillai, Secretary, Punalur Paper Mills Staff Association.

It is hereby agreed between the parties to refer the following dispute to Arbitration of Shri K. Sadasivan, Retired Judge, High Court of Kerala, [here specify the name(s) and address(es) of the Arbitrator(s)].

(i) Specific matters in dispute	(1) All outstanding issues already pending before Shri P. J. Cherian in Arbitration Case No. 1 of 1976 (vide clause No. 3 of Conciliation Settlement dated 14-10-1977).
	(2) Wages for the period of lockout (vide clause No. 4 of Conciliation Settlement dated 14-10-1977).
	(3) Interim Relief to workmen (vide clause No. 5 of Conciliation Settlement dated 14-10-1977).

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved	Chairman and Managing Director of Punalur Paper Mills Ltd.
(iii) Name of the workmen in case he himself is involved in the dispute or the name of the Union, if any, representing the workmen or workmen in question	All workmen represented by the 6 Unions referred to above:
(iv) Total number of workmen employed in the undertaking affected	1400
(v) Estimated number of workmen affected or likely to be affected by the dispute	1400

We further agree that the decisions of the Arbitrator be binding on us.

The Arbitrator shall make his award within a period of three months (here specify the period agreed upon by the parties or within such further time as is extended by mutual agreement between us in writing). In the case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of parties :

REPRESENTING EMPLOYER

(1)
(2)

REPRESENTING WORKMEN

(1)
(2)
(3)
(4)
(5)
(6)

WITNESS:

1. Shri K. C. Velayudhan Pillai, Dy. Labour Officer, Pathanamthitta.
2. Shri A. M. Chacko, Labour Welfare Fund Inspector, Quilon.

By order of the Governor,

I. GOPALAN,

Joint Secretary.

NOTIFICATION-II

No. 1688/A1/78/L&H. *Dated, Trivandrum, 15th February 1978.*

Whereas an Industrial Dispute between the Management of Punalur Paper Mills Ltd., Punalur represented by: (1) Mr. Pawan Kumar, Secretary, Punalur Paper Mills Ltd., Punalur; (2) Mr. K. C. Achutha Menon, Personnel Manager, Punalur Paper Mills Ltd., Punalur and the Workmen of the said Concern represented by: (1) Sri K. A. George, Secretary, Punalur Paper Mill Workers Union; (2) Sri C. S. N. Raju, Secretary, Punalur Paper Mills Labour Congress; (3) Sri K. O. Thomas, Secretary, Punalur Paper Mills Staff Union; (4) Sri C. P. Ravindran Nair, Secretary, Punalur Paper Mills Security Guards Association; (5) Sri P. T. Simon, Secretary, Punalur Paper Mills Employees' Union; (6) Sri K. Gopalakrishna Pillai, Secretary, Punalur Paper Mills Staff Association in respect of certain matters, has by an arbitration agreement been referred to Sri K. Sadasivan, Retired Judge, High Court of Kerala for arbitration;

And, whereas, Government are satisfied that the persons making the reference represent the majority of each party;

Now, therefore, in exercise of the powers conferred by sub-section (3A) of section 10A of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) read with rule 8 A of the Kerala Industrial Disputes Rules, 1957 the Government of Kerala hereby publish the matter for information of the employers and workmen who are not parties to the said arbitration agreement but are concerned with the said Industrial Dispute.

By order of the Governor,

I. Gopalan,

Joint Secretary to Government.

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1978

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GOVERNMENT OF KERALA

Taxes (B) Department

NOTIFICATION

G.O. Ms. No. 23/78/TD. *Dated, Trivandrum,* 16*th February* 1978.

S. R. O. No. 145/78.—In exercise of the powers conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956), the Government of Kerala, being satisfied that it is necessary so to do in the Public interest, hereby direct that in respect of the sales of bricks, tiles and timber, which are made in the course of inter-state trade or commerce by any dealer having his place of business in the State to the Churches Auxiliary For Social Action, Madras Zone, Thambuswami Road, Madras—600010 for use by them in the constructions of dwelling houses for the poor victims of cyclone and flood in Tamilnadu and Andhra Pradesh under the Programme launched by the said Churches Auxiliary for Social Action no tax under the said Act

shall be payable subject to the condition that the dealer produces before the assessing authority a declaration from the Churches Auxiliary for Social Action in the following form, namely:—

DECLARATION

To

....

....

Certified that the following goods ordered for in our purchase order No............dated..................purchased from you as per your bill/cash memo specified below are purchased for bonafide use in the construction of buildings for the victims of cyclone and flood in the Tamil Nadu and the Andhra Pradesh States:

(Specify the particulars of the goods purchased)

Signature, Name and full address of the declarant.

The above statements are true to my knowledge and belief.

(Signature.)

(Name of the person signing the declaration)

(Status of the person signing the declaration in relation to the dealer)

* Particulars of bill/Cash memo........................Date..........
Number....................Amount..............................
Date of issue of the Certificate.........................

(Strike off whichever is not applicable)

By order of the Governor,

J. S. JESUDHASAN,
Special Secretary to Government.

Explanatory Note

(This is not a part of the notification but is intended to indicate the general purport)

The Government consider that the inter-state sale of bricks, tiles and timber to the Churches Auxiliary For Social Actions, Madras for use by them in the construction of dwelling houses for the victims of cyclone and flood in Tamilnadu and Andhra Pradesh under the scheme launched by them should be exempted from salestax by a notification under section 8 (5) of the Central Sales Tax, Act, 1956. The notification is intended to achieve the above purpose.

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GOVERNMENT OF KERALA

Water & Transport (Transport-B) Department

DECLARATION

No. 742/TB2/78/W&T. *Dated, Trivandrum, 13th February 1978.*

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution the President has, in his notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to acquisition of land for the purpose of the Union in this State;

And whereas under sub-section (4) of Section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to the land specified in the Schedule below;

And whereas the Government are satisfied that the said land has to be acquired for a public purpose;

The Government of Kerala hereby declare under Section 6 of the Act that the land specified in the Schedule below and measuring 0.0904 hectares

be the same a little more or less, is needed for a public purpose, to wit, for doubling rail track between Wadakkancherry and Mulamkunnathukavu and under section 7 of the Act direct the Special Tahsildar (LA), Railways, Trichur to take order for the acquisition of the land. Further, under sub-section (1) of section 19 of the Act the Government direct that the Collector may take possession of the land on the expiry of fifteen days from the date of publication of the notice mentioned in sub-section (1) of section 9 of the Act.

A plan of the land is kept in the office of the Special Tahsildar (L.A.), Railways, Trichur and may be inspected at any time during office hours.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി, യൂണിയന്റെ ആവശ്യത്തിനായി ഈ സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവർത്തികൾ തന്റെ 31-5-1963 തീയതിയിലെ 2/4/63/Judl. II നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെന്റിനെ ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി, ഭരമേൽപ്പിച്ചിരിക്കയാലും;

പ്രസ്തുത - ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം കേരള ഗവൺമെന്റ് പ്രസ്തുത സംഗതിയുടെ അടിയന്തിരസ്ഥിതി പരിഗണിച്ച്, ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമിക്ക് ബാധകമല്ലെന്ന് നിർദ്ദേശിക്കയാലും;

പ്രസ്തുത ഭൂമി ഒരു പൊതുക്കാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് ഗവൺമെന്റിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും:

കേരള ഗവൺമെന്റ് താഴെ കാണുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.0904 ഹെക്ടർ വിസ്തീർണ്ണമുള്ളതുമായ ഭൂമി, അത് അത്രതന്നെയോ, അതിൽ അൽപ്പം കുറവോ കൂടുതലോ ആയിരുന്നാലും വേണ്ടതില്ല, ഒരു പൊതുക്കാര്യത്തിന് അതായത് വടക്കാഞ്ചേരിക്കും മുളങ്കുന്നത്തുകാവിനും ഇടയ്ക്ക് റെയിൽവേപ്പാത ഇരട്ടിപ്പിക്കുന്നതിന് ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിപ്പാൻ ആക്റ്റ് 7-ാം വകുപ്പു പ്രകാരം തൃശ്ശൂർ റെയിൽവേ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്റ്റർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും കൂടി ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ തൃശ്ശൂർ റെയിൽവേ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

District.—Trichur.

Taluk.—Talappilly. *Village*.—Minalur.

(Block No. 90)

(The extent given is approximate)

Sl. No.	*Survey No.*	*Description*	*Extent*
1.	291/1-8	Dry now wet	0.0383
2.	291/2-9	do.	0.0207
3.	776/2-3	Wet	0.0314
			0.0904

By order of the Governaor,

M. K. BHASKARAN,

Additional Secretary to Government.

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Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Thursday, 16th February, 1978 / 27th Magha 1899 [No. 100

GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

NOTIFICATION

G. O. Ms. No. 33/78/LA & SWD, *Dated, Trivandrum, 8th February, 1978.*

S. R. O. No. 146/78.—In exercise of the powers conferred by section 129 of the Kerala Panchayats Act, 1960 (32 of 1960) the Government of Kerala hereby make the following amendment to the Kerala Panchayats (Licensing of Dangerous and offensive Trades and Factories) Rules, 1963, issued in G. O. MS. 426|63|DD dated the 3rd May, 1963 and published as S. R. O. No. 504|63 in the Kerala Gazette No. 21 dated the 21st May, 1963, the same having been previously published as required by sub-section (2) of section 130 of the said Act.

AMENDMENT

In the said Rules, in sub-rule (2) of rule 16, for the words "not exceeding two horse power" wherever they occur, the words "not exceeding five horse power" shall be substituted.

By order of the Governor,
N. GOPALAKRISHNAN NAIR,
Special Secretary.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

As per sub rule (2) of rule 16 of the Kerala Panchayats (D & O Trades and factories) Rules 1963, non-electrical appliances not exceeding two horse power intended to be used for purely domestic or personal purposes or comfort and machinery not exceeding two horse power intended to be used for such purposes or comfort shall be exempted from taking licence under the provisions of section 97 of the Kerala Panchayats Act.

Representations have been received from peoples' representatives that most of the farmers in Kasargode Taluk possess oil engine pumpsets and hullers since electricity is not available, supplied on hire purchase system, to be used for irrigation and domestic purposes and they have to take licence under section 97 of the Kerala Panchayats Act, when the agriculturists|farmers who use the electrical engines to attach hullers get the exemption irrespective of the horse power.

Hence the Government consider their request and extend the above provision of exemption from taking licence under section 97 of the Kerala Panchayat Act, 1960 to the agriculturists|farmers who use oil engines not exceeding 5 horse powers also.

The amendment is intended to achieve the above object.

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Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Thursday, 16th February 1978 / 27th Magha 1899 [No. 101

GOVERNMENT OF KERALA

Industries (F) Department

NOTIFICATION

No. 1154/F3/78-1/ID. *Dated, Trivandrum, 16th February, 1978.*

S. R. O. No. 147/78.—Under Sub-clause (2) of Clause 4 of the Kerala Raw Cashewnuts (Procurement and Distribution) Order, 1977, the Government of Kerala hereby notify the market rates of the raw cashewnuts in the different localities in the State as shown in the table below with immediate effect.

TABLE

Rates	*Localities*
1. Rs. 570 per quintal	Districts of Alleppey, Trivandrum, Ernakulam, Idukki, Kottayam and Quilon.
2. Rs. 590 per quintal	Districts of Kozhikode, Palghat, Malappuram and Trichur.
3. Rs. 610 per quintal	Cannanore District.

By order of the Governor,
SARALA GOPALAN,
Additional Secretary.

33/587/MC

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport).

Government have decided to revise the market rates of local raw cashewnuts. Hence this notification.

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Government of Kerala
1978

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Thursday, 16th February 1978 / 27th Magha 1899 [No. 102

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 2124/LA4A/78. *Dated, Trivandrum, 16th February, 1978.*

The Payment of Salaries and Allowances (Amendment) Bill, 1978 together with the Statement of Objects and Reasons, and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/593/MC.

Fifth Kerala Legislative Assembly

Bill No. 53.

THE PAYMENT OF SALARIES AND ALLOWANCES (AMENDMENT) BILL, 1978

A

BILL

further to amend the Payment of Salaries and Allowances Act, 1951.

Preamble.—WHEREAS it is expedient further to amend the Payment of Salaries and Allowances Act, 1951, for the purpose hereinafter appearing;

BE it enacted in the Twenty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Payment of Salaries and Allowances (Amendment) Act, 1978.

(2) It shall be deemed to have come into force on the 1st day of September, 1977.

2. *Insertion of new section 9C.*—After section 9B of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951), the following section shall be inserted, namely:—

"9C. *Right of Leader of Opposition to opt for allowances, etc., of members of the Legislative Assembly.*—Notwithstanding anything contained in this Act, the Leader of the Opposition may, by letter addressed to the Speaker, opt to receive the facilities, allowances, amenities and other benefits to which a member of the Legislative Assembly is entitled under sections 7B, 8, 8A, 9 and 9A and the rules made under this Act, instead of the salary, allowances, amenities, facilities and other benefits to which he is entitled under this Act and the rules made thereunder as Leader of the Opposition, and thereupon he shall be entitled only to the facilities, allowances, amenities and other benefits to which a member of the Legislative Assembly is entitled under the said sections.".

STATEMENT OF OBJECTS AND REASONS

Under the Payment of Salaries and Allowances Act, 1951 (XIV of 1951), as amended by the Payment of Salaries and Allowances (Amendment) Act, 1977 (22 of 1977) the Leader of the Opposition in the Legislative Assembly is entitled to the salary, allowances, amenities, facilities and other benefits to which a Minister of the

State is entitled. It is considered necessary to incorporate a provision in the Payment of Salaries and Allowances Act, 1951, to enable the Leader of the opposition to opt to receive the facilities, allowances, amenities and other benefits to which a member of the Legislative Assembly is entitled, instead of those to which he is entitled under the Act as Leader of the Opposition.

2. The Bill seeks to amend the Act for the above purpose.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State

A. K. ANTONY

Reg. No. KL/TV/12

Government of Kerala
1978

KERALA GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Thursday, 16th February 1978 / 27th Magha 1899 [No. 103

GOVERNMENT OF KERALA

Local Administration and Social Welfare (Municipal Special) Department

NOTIFICATION

G. O. Ms. 38/78/LA & SWD. *Dated, Trivandrum, 14th February, 1978.*

S. R. O. No. 152/78.—Under sub-section (1) of section 7 of the Kerala Municipalities Act, 1960 (14 of 1961), the Government of Kerala hereby notify that the Municipal Council, Ponnani shall consist of 24 Councillors and under sub-section (3) of the said section determine that the number of seats that shall be reserved for scheduled castes and scheduled tribes in the said Council shall be one and under sub-section (6) of the said section the number of seats that shall be reserved for women shall be two.

By order of the Governor,
S. PERUMAL,
Deputy Secretary.

33/598/MC.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

As per G. O. (Ms) 326/77/LA & SWD dated 9-11-1977, Government have constituted the Ponnani Municipality with effect from 15-11-1977. Under Section 7 of the Kerala Municipalities Act 1960, the Government have to fix strength of the Municipal Council. According to 1971 census, the population of Ponnani Municipality is 35723. The Scheduled Castes/Scheduled Tribes population in the Municipality is 556. This notification is intended to fix the strength of the Council under sub-section (1) and to specify the number of seats to be reserved in the Council for Scheduled Castes/Scheduled Tribes and for women under sub-section (3) and (6) of section 7 of the Kerala Municipalities Act, 1960.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Thursday, 16th February 1978 / 27th Magha 1899 [No. 104

GOVERNMENT OF KERALA

General Administration (Political-A) Department

NOTIFICATION

No. 23074/Pol.A2/78/GAD. *Dated, Trivandrum, 16th February, 1978.*

The Governor has been pleased to order that, until Shri U. A. Beeran, Minister for Education and Social Welfare is able to resume his duties, Shri K. Avukaderkutty Naha, Minister for Local Administration will be in charge of the duties of the Minister for Education and Social Welfare, with effect from 10-2-1978.

G. Bhaskaran Nair,
Chief Secretary.

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33/608/MC

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII] Trivandrum, Saturday, 18th February 1978 / 29th Magha 1899 [No. 107

GOVERNMENT OF KERALA

Water & Transport (Transport B) Department

ORDER

No. G.O. (Rt) 48/77/W&T *Dated, Trivandrum, 13th February* 1978.

The appended Notifications of the Government of India are hereby re-published in the Kerala Gazette as Gazette Extraordinary, for general information.

By order of the Governor,
M. K. Bhaskaran,
Additional Secretary to Government.

Government of India

(BHARAT SARKAR)

Ministry of Shipping and Transport (Nauvahan aur Parivahan Mantralaya) Transport Wing/Parivahan Paksha

New Delhi, the 19th May, 1976.

NOTIFICATION

G.S.R. 346(E) in exercise of the powers conferred by clause (i) of sub-section (10) of section 63 of the Motor Vehicles Act, 1939 (4 of 1939) and in supersession of the notification of the Government of India in the Ministry

33/614/MC.

of Shipping and Transport No. S.O. 3386, dated the 28th October 1972, the Central Government hereby specifies the following, namely:—

(1) A tourist vehicle, for being eligible for a permit under sub-section (7) of section 63 of the Motor Vehicles Act, 1939 (4 of 1939), shall be on a chassis which is not more than five years old from the date of its initial registration.

(2) Tourist vehicle referred to in paragraph 1 shall conform to the following specifications, namely:—

1. *Principal dimensions*

Length	not exceeding 10.5 metres.
Width	not exceeding 2.5 metres.
Rear Overhang	not exceeding 80% of the wheel base.
Overall height	not exceeding 3.35 metres
Interior clear height in the Gangway	not less than 1.85 metres.

Provided that the State Government or any authority authorised in this behalf by the State Government, if it is satisfied that it is necessary because of the nature of any road or bridge or in the interests of public safety, may prohibit or restrict the operation of a tourist vehicle in a specified route or area unless such vehicle complies with the requirements speoified by the State Government for such route or area.

2. *Structure.*—(i) A rigid, sturdy and strong structural frame work using suitable material of adequate sectional area and shape shall be provided.

(ii) All mild steel components shall be phosphated as per the code of practice to 1.5.6005—Class C and primer painted.

(iii) Whenever two dissimilar metals come into contact with each other, the contact shall be coated with dielectric paint.

3. *Body mounting.*—The body shall be mounted on the chassis with each high tensile steel bolts of not less than 16 mm. diameter. No holes shall be drilled in the chassis side members (Longitudinals) except where such drilling is technically approved by the chassis manufacturers. Rubberised packing or mounting of adequate thickness shall be used between the body structure and the chassis frame.

4. *Flooring.*—(i) Material used for flooring shall have sound-deadening qualities. All joints shall be dust-proofed by suitable packing. The surface shall be washable and shall be made antiskid, safe for the passengers by providing wear strips or antiskid design embossings, where necessary.

(ii) Material for flooring shall be

(a) seasoned timber, 25 mm. thick, or

(b) Resin bonded plywood IS-303-BWR Grade or IS-4990 (not less than 19 mm. thick), or

(c) Block Board IS 1959 not less than 19 mm. thick. and covered with

(I) Linoleum or Rubber matting, or

(II) Aluminium Chequered plates 14 G thick minimum, or

(III) 14 G. Aluminium Sheet with wear strips.

5. *Exterior panelling.*—(i) Material—Aluminium sheet of thickness 18G min-Grade NS-3-Half hard shall be used for exterior panelling.

(ii) *Method of Fixing.*—(a) Roof panelling shall be of the sheets laid longitudinally over the full length of the vehicle except for the domes and destination boxes with a view to providing minimum length of joints in the panelling. The joint shall be of inter-lock type and shall be made leak proof by using suitable jointing compound. Roof exterior panelling shall be fixed to the structure by aluminium alloy solid rivets spaced at approxiately 75 mm. pitch.

(b) side panelling shall be so laid as to provide the joint on the structural members. At the vertical joint, the panel, in the front shall overlap the panel in the rear and at the horizontal joint, the upper panel shall overlap the lower panel. Solid aluminium alloy rivets or aluminium counter-sunk blind rivets, at 100 mm. pitch approximately shall be used for fixing the side panel to the structure. The blind rivet holes shall be sealed with apoxy resin compound.

(c) All panels shall be coated with anti-drumming compound and shall be re-inforced by suitable stiffner between the interior and exterior panels. Wherever dissimilar metals come into contact with each other, the contact area shall be covered with dielectric paint. Aluminium panel mouldings of suitable dimensions shall be used at all joints of the panels.

(d) Water gutter shall be fitted at approximately cant rail level to divert the rain water.

(e) The body shall be made completely leak proof and dust-proof

6. *Interior panelling.*—Interior panelling shall be provided to cover the entire interior roof, sides, back and bulk head partitions as specified below:—

(i) Material for interior panelling shall be—

(a) Decorative laminates, or.

(b) Padded upholstry, or

(c) Teak plywood, or

(d) Plastic Coated Steel Sheet 20 G minimum.

(ii) Where decorative laminates or teak plywood are fitted directly, the thickness shall not be less than 3 mm. Where decorative laminates, teak plywood or padded upholstry is fitted on metallic sheets, the metallic sheet shall be Aluminium 20 G thick, grade NS-3, Half hard or galvanised iron 20 G thick and the laminate may be 1.5 mm. thick.

(iii) The surface of the interior panelling shall be washable. Insulation between the interior and exterior penalling shall be of suitable material like thermocole, glass fibre mattress, asbestos fibre, etc., of thickness not less than 40 mm. Aluminium panel moulding shall be used to cover all panel joints. Wherever rivetting is adopted, the rivets shall be suitably concealed. Truss panelling of suitable strength shall be provided at appropriate locations. Precautions indicated in item (5) (ii) (c) above shall be taken in case metal sheet is used for interior panelling.

7. *Doors.*—(i) (a) Passenger entrance-cum-exit door shall be located as far in the front as is possible. Where the front overhang is adequate, the door shall be located ahead of the front axle. If full bulk head partition is provided, it shall be as near the bulk as possible.

(b) If hinged type passenger door is provided, the hinges shall be located in the front and the door shall match the contour of the tourist vehicle. Minimum clear opening in this case shall be 760 mm.

(c) If Jack Knife Type door is provided, the minimum clear opening shall be 660 mm.

(d) The door frame shall be sturdy and shall be so constructed as to provide easy access for repairs or replacement of hinges, door handle fitment and dove-tails, etc.

(e) The door handle shall be such as can be operated from inside as also from outside. Arrangements shall be provided for belting the door from inside and for locking it from outside.

(ii) (a) Emergency exit in the form of a door, hinged in the front, shall be provided on the off side of the tourist vehicle and shall be capable of being operated both from inside and the outside of the tourist vehicle. Minimum clear opening shall be 660 mm. The shape of the door shall blend smoothly with the contour of the said vehicles. Provision shall be made for bolting the door from inside. Alternatively, an emergency exit from the rear windscreen may be provided, hinged at the top and having a minimum clear opening of 660 mm. x 660 mm.

(b) The emergency exit shall be prominently identified in red letters "Emergency Exit" from the inside.

Provided that, where the windows are at least 1.72 metres wide and a small hammer or any other similar implement is provided to break the panes in the event of emergency, a separate emergency exit shall not be necessary;

(iii) Except where the entrance door is provided ahead of the front axle, a separate door with a suitable sliding window shall be provided for the driver near the driver's seat as specified below:—

(a) If the entrance door is of the hinged type, the driver's door shall blend with the contour of the vehicle and the hinges shall be located in the front. If it is the sliding type, the fitment shall be as to provide smooth movement of the door on the rails, with minimum rattle when plying on rough road surface.

(b) Clear opening for driver's door shall not be less than 560 mm.

(iv) Where full bulk head is provided in the tourist vehicle, it shall have a communicating door with a clear opening of 510 mm. and shall have arrangements for bolting or locking from the passenger compartment.

(v) All doors shall be rattle-proof and dust-proof.

(vi) Door handles on the exterior shall be of sunken type so as not to protrude outside the side panelling. Door locks for hinged doors shall be spring loaded, slam type, with two stage striker plate.

8. *Wind screen.*—(i) Front wind screen shall be of clear, wave and distortion free, safety or toughened glass of thickness approximately 5.5 mm. and shall be of full width of the tourist vehicle. If made in two halves, the width of the centre verticle joint, inclusive of the rubber glazing, shall not exceed 65 mm. Fitment of the front wind-shield shall be such as to enhance the elegance of the tourist vehicle.

(ii) Rear wind screen shall be of safety or toughened glass of approximately 5.5 mm thickness. It shall match with the windows provided on the vehicle. Sliding curtains shall be provided on the rear wind screen.

9. *Windows.*—Except in the case of air-conditioned tourist vehicle, windows shall be provided as specified hereunder:

(i) Nominal window spacing for the standard bay shall be 1425 mm. approximately.

(ii) The window frame shall be of aluminium extruded section, in natural finish or anodised to match the colour of the tourist vehicle, and shall be perimeter mounted, with rubber glazing, in a pan of sturdy construction.

(iii) The windows shall be of double-sliding type, with safety or toughened glass, 4.8 mm., thick minimum running smoothly in channels of terylene felt without rattle.

(iv) Handles or knobs shall be provided for movement of the glasses of the windows. Locking arrangement shall also be provided in the windows from the passenger compartment.

(v) All safety or toughened glasses used for the windows shall conform to IS-2553.

(vi) All windows shall be provided with sliding curtains.

10. *Ventilation.*—(i) Adequate arrangement for ventilation shall be provided for the passenger compartment when the tourist vehicle is in motion with the windows closed.

(ii) Drivers leg room ventilation shall be provided by an adjustable opening of size 250 Sq. Cm. approximately. Similarly, adjustable opening of approximately 250 Sq. Cms. shall be provided for driver's head room ventilation.

(iii) All ventilators and windows shall be such that when closed they will not permit ingress of rain water or dust in the passenger compartment.

11. *Luggage arrangements.*—(i) (a) Luggage compartment shall be provided at the rear or at the sides or both of the tourist vehicle. The size of the compartment shall be such as to allow at least 0.071 cubic meter of space per passenger. If necessary, the floor level at which the seats are mounted may be raised or the chassis frames dropped to accommodate a compartment of adequate size. Modifications adopted for this purpose shall be such as will provide compensation for the effect of the modification on structural strength.

(b) The doors of the said compartment shall be of adequate size and shall be rattle-proof, shall prevent ingress of dust and water in the com partment and shall have suitable locking arrangement.

(ii) Two light luggage racks, on strong brackets, shall be provided inside the passenger compartment running along the sides of the tourist vehicle. Except where nylon netting is used, the underside of the rack shall have padded upholstry to protect the passengers from an accidental hit. Similarly, the general design and fitment of the rack shall avoid sharp corners, edges etc., so as to avoid hazards to the passengers.

12. *Front grill and bumper.*—Front grill and bumper shall be such as to provide an elegant look.

13. *Painting and finishing.*—(i) The tourist vehicle shall be painted in "Nitro-Cellulose" paints of any suitable colour scheme. The recommendations of the paint manufacturer in respect of surface preparation, process of painting, drying, rubbing down, etc., shall be carefully followed.

(ii) A special distinguishing mark (symbol) as specified in Annexure I to this notification shall be painted on the sides of the tourist vehicle or displayed prominently on the front wind screen of the said vehicle.

14. *Seats and seating arrangements.*—(i) Seating layout shall be two and two on either side, with a gangway of at least 355 millimetre width at the centre. Each passenger shall have an area at 457 mm × 457 mm minimum for the seat and an arm-rest 38 mm vide at least on one side. The seat back shall be of full height.

(ii) The seat frames shall be sturdy, properly finished and so mounted as to transfer the weight directly to the structural members of frame-work. The seats shall be of reclining type, preferably adjustable.

(iii) Material recommended for seat cushion and back rest is "Latex foam rubber—Grade D E" of IS 1741. The seat cushion shall be tapering with 450 mm height in the front and 100 mm in the rear. The seat back shall be 50 mm thick in Latex Foam-Grade B of IS 1741. Both the seat and the back shall be covered with "Foam Rexine" or "Tapestry Cloth" of appropriate colour and design to enhance the appearance. The seat frame, the cushions, the back and upholstry shall add up to provide adequate comfort for passengers.

(iv) The seats shall be so mounted as to provide at least 280 mm leg room from the front of the rear seat to the back of the front seat. A foot-rest at suitable location and height shall be provided for every passenger.

(v) The seat for the driver shall be 457 mm × 457 mm properly upholstered and suitably shapped, both for the seat and the back, to avoid fatique, provide comfort and have easy access to the controls. This seat shall be adjustable fore-and-aft as well as up-and-down by 100 mm each way.

(vi) The seat for the conductor/attendant shall be located on the left of the engine. It shall be so located as to provide easy access to the controls of Radio and Public address system.

15. *Lighting.*—(i) (a) Passenger compartment shall be adequately illuminated by either at least three tube lights, each of 600 mm in length and located at such places so as to provide uniform level of illumination in the entire compartment, or by at least eight electric bulbs, each of 15–20 Watts, uniformly spaced in the compartment. The light mounting shall be such that bare light is not visible to the seated passengers, so that glare is reduced. These lights shall be controlled by switches located near the driver's/attender's seat.

(b) An arrangements shall be provided to eliminate reflection of the light from the passenger compartment on the windscreen which distructs the driver.

(c) In addition to the lights in passenger compartment, at least two night-lights with coloured domes, fitted with 15-20 Watts electric bulbs each, shall be provided in the passenger saloon.

(ii) Front and rear destination boxes, if provided, shall be illuminated by the bulbs of 15-20 Watts each, fitted in a concealed location and not directly visible from the front of the tourist vehicle.

(iii) One independently operated light fitting shall be provided for illumination of the drivers'/attendants' seat area.

(iv) A light fitting shall be provided for illuminating the stops at the passenger entrance door.

(v) Each luggage compartment shall have a light fitting for illumination of that compartment.

(vi) Wiring in the passenger compartment shall be with low tension cable conforming to I. S. 2465, of size commensurate with the estimated current loading. The wires shall be carried in PVC sleeving or conduit or casing of adequate size. When any wire passess through a hole in a panel or sheet or metalic components, a rubber grommet of adequate size shall be provided for protection of the insulation.

16. *Fittings and accessories.*—A tourist vehicle shall be equipped with the following, namely:—

(i) Suitable docorative moulding on the exterior panel to reduce the drumming as also to enhance the appearance.

(ii) Convex rear view mirrors, one on each side, universally adjustable and of adequate dimensions.

(iii) Good quality First-aid Box with glazed front, of dimensions suitable to accommodate the items specified in Annexure II to this notification, and located conveniently for the attendant.

(iv) Fire extinquisher, dry powder type conforming to IS. 217 located near the engine compartment.

(v) Insulation on interior or exterior of the engine bonnet for reducing the noise and heat from the engine. Recommendation insultation is impregnated glasswool blanket with compressed thickness of 12 mm.

(vi) Provision for locating vehicle tools securely.

(vii) Heavy duty windscreen wiper system electrically operated.

(viii) Adjustable sunvisers of adequate size for the driver and for the attendant.

(ix) Electrically operated wide indicators/blinkers, stop lights and parking lights.

(x) Suitable illumination for the registration number plate at the rear.

(xi) Dual head lamps.

(xii) Electric horn of superior quality.

(xiii) Electric fans, 8" sweep adjustable, at least eight in numbers, suitably spaced in the passenger compartment and controlled by switches located near the seat of driver/attendant.

(xiv) Electric bell buzzer located near the seat of driver/attendant and operated by at least four push button controls placed at suitable location in the passenger compartment.

(xv) Ash trays near passenger seats of a design convenient for cleaning them at intermediate steps of the tourist vehicle.

(xvi) Ice Box.

(xvii) Rack for magazines and other reading material.

(xviii) Back pockets and numericals for each seat.

(xix) Radio and public address system with at least four speakers suitably located in the passenger compartment.

(xx) Document frame, located near the seat of driver, for carrying vehicle documents, tax token, licence and permit, etc.

(xxi) Mud flaps for front and rear wheels.

(3) On and from the date of publication of this notification in the Official Gazette, no permit shall be granted or renewed in respect of a tourist vehicle under sub-section (7) of section 63 of the Motor Vehicles Act, 1939 (4 of 1939) unless the provisions of this notification are complied with:

Provided that the provisions of this notification shall not apply to a motor cab within the meaning of clause (15) of section 2 of the said Act.

GOVERNMENT OF INDIA

Ministry of Shipping & Transport

(Transport Wing)

NOTIFICATION

New Delhi, July 9th 1971.

In exercise of the powers conferred by Sub-section (8) of Section 63 of the Motor Vehicles Act, 1939 (4 of 1939) and in supersession of the Notification of the Government of India in the Ministry of Shipping & Transport (Transport Wing) No. 39-TAG (8)/70 dated the 29th December 1970, the Central Government hereby specifies the amount mentioned in column (2) of the Table below on the amount to be deposited by way of security by every applicant for a permit in respect of the class of vehicles specified in the corresponding entry in column (1) of the said Table and further specifies that the amount of security shall be paid in cash:—

TABLE

Class of Vehicles	*Amount of Security*
(1)	(2)
1. Tourist Motor Cab	Rs. 500.00
2. Tourist omnibus with passenger capacity not exceeding 29	Rs. 1000.00
3. Tourist omnibus with passenger capacity exceeding 29	Rs.1500.00

2. This notification shall come into force on the date of its publication in the official Gazette.

(Sd.)
B. S. Singh,
Deputy Secretary to the Government of India.

In exercise of the powers conferred by clause (ii) of sub-section (10) of Section 63 of the Motor Vehicles Act, 1939 (4 of 1939), the Central Government hereby specifies for the purpose of the said clause, the following qualifications and conditions, namely:—

Qualifications

A driver of a Tourist vehicle shall possess the following qualifications, namely:—

(a) a driver's licence with at least two years' experience;

(b) elementary knowledge of the machanism and maintenance of the tourist vehicles he drives;

(c) knowledge of topography of the route or area or region in which the tourist vehicle is proposed to be used;

(d) working knowledge of English and Hindi or any language of the region where he works.

Note:—Qualification (d) shall not apply in cases where the driver is accompanied by a conductor who has the said qualification.

Conditons

A driver of Tourist vehicle shall satisfy the following conditions, namely:—

(a) in summer months he shall wear a white uniform of the following descriptions, namely:—

(i) loose trousers;

(ii) bush-shirt or coat with two pockets and the letter 'T' sewn on the left hand pocket of the bush shirt or coat in red thread.

(b) in winter months he shall wear a blue or grey uniform of the following descriptions, namely:

(i) Loose trousers;

(ii) buttoned up coat with two pockets and the letter 'T' sewn on the left hand pocket in red thread or open coat with two pockets and the letter 'T' sewn in left hand pocket in red thread, white full sleeved shirt and blue tie.

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